IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SECOND DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.13745 of 1998

Between:

Bibekanada Guha, S/o late Bipulchandra Guha,
R/o Malda, West Bengal State.

..... PETITIONER

AND

1 State of Andhra Pradesh, Rep by its Secretary, Medical & Health

Dept., Secretariat Buildings, Hyderabad.
2 Authorisation Committee appointed U/s.9(4) of the Transplantation

of Human Oragns Act 1995,
Rep by its Chairman cum Director of Medical Education, Hyderabad.
3 Dr.K.S.Naik, Cheif of Nephrology Service, Hyderabad Nursing Home,

Hyderabad.
4 Sri Ratan Bhattacharjee, s/o Phone Bhushan Bhatacharjee,
R/o Sodpore, P.O. Pansila, 24 parganas dist., W.B.State.

(Writ Petition as against R4 is dismissed for default as per the Court

order dated 05.09.2001)

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction particularly a writ in the nature of Writ of Mandamus, declaring the restrictions imposed by the 2nd respondent committee directing the petitioner to apply for permission for Transplantation through the State Govt. of West Bengal and for production of all other certificates as irrelevant and have no nexus with the object sought to be achieved by the Act and also in violation of the petitioner's rights under arts. 14, 16 and 21 of the Constitution of India and consequently direct the respondents to scrutinise the application of the petitioner for grant of permission to undergo kidney transplantation by accepting kidney donation

from the 4th respondent.

Counsel for the Petitioner: MR.S.SHARAT KUMAR (Not present)

Counsel for the Respondent Nos.1 to 3: GP FOR MEDICAL HEALTH & FAMI.WELFARE

The Court made the following :

ORDER:

In this writ petition the petitioner seeks to direct the respondents to scrutinize his application for grant of permission to undergo kidney transplantation by accepting kidney donation from the

4th respondent.

When the matter is taken up today, none appears for the petitioner. Learned Government Pleader appearing for the respondents submits that by lapse of time the prayer in the writ petition has become infructuous.

Recording the said submission, the writ petition is dismissed as having become infructuous. No costs.

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N.V. RAMANA, J.

Date: 22.02.2005

Nsr

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary, Medical & Health

Dept., State of Andhra Pradesh, Secretariat Buildings, Hyderabad.
2 The Chairman cum Director of Medical Education, Authorisation

Committee appointed U/s.9(4) of the Transplantation of Human

Oragns Act 1995, Hyderabad.
3 Dr.K.S.Naik, Cheif of Nephrology Service, Hyderabad Nursing Home,

Hyderabad.
4 Two CCs to GP for Medical Health and Family Welfare, High

Court of AP, Hyderabad (OUT)

5 2 CD copies

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